

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2150 OF 2005

Sou.Jyoti Prakash Joshi
and Ors. ..Applicants

Vs.

Shri.Sunil Ramakrishna Ranne
and Anr. ..Respondents

...
Mr.J.G.Bhanushali Advocate for Applicants
Mrs.Vinita Bakreshatri for Respondent no.1
Mr.V.B.Konde-Deshmukh A.P.P. for the State
...

CORAM: SMT.V.K.TAHILRAMANI, J.

DATE : JUNE 22, 2005

P.C.

1. Heard the learned advocate for the applicants
and the learned A.P.P. for the State.

2. The applicants are seeking quashing of process
issued by the learned J.M.F.C. AC Court Pune, in
S.C.C.No.8355/2005. The said case is under Section
427 r.w.34 of IPC.

3. For the reasons recorded in my order dated 8th June, 2005 in Cri.Application No. 645 of 2005 and order dated 13th June, 2005 in W.P.No. 213 of 2005, in my view, it is clear that the applicants have an efficacious remedy of preferring revision against the order of Magistrate issuing process. Hence, in my view, it would be appropriate that the applicants prefer a revision before the concerned Sessions Court against the order of the Magistrate issuing process.

4. Liberty is granted to the applicants to prefer the necessary revision before the concerned Sessions Court. Ad-interim relief granted earlier by this Court in terms of prayer clause (c) to continue for a period of four weeks from today.

5. On the necessary revision being preferred by the applicants before the concerned Sessions Court, the concerned Sessions Court shall dispose of the matter on merits after hearing the necessary parties.

6. Criminal Application is disposed of.

[V.K.TAHILRAMANI, J.]